

**PUBLIC NOTICE FOR
CLEAN WATER ACT 401 WATER QUALITY CERTIFICATION
BEFORE THE DIVISION OF WATER RIGHTS**

An application for the following project was filed with the State Water Resources Control Board, Division of Water Rights for a Water Quality Certification under section 401 of the Clean Water Act. California Code of Regulations, title 23, section 3858 requires the Executive Director of the State Water Board to provide public notice of an application at least twenty-one (21) days before taking certification action on the application. Written questions regarding the application should be directed to:

WQ Certification Unit
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95812-2000

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| RECEIVED: | January 21, 2009 |
| PROJECT: | Lake Elsinore Advanced Pumped Storage Hydroelectric Project (FERC No. 11858) |
| APPLICANT: | The Nevada Hydro Company |
| AGENT: | Not Applicable |
| COUNTY: | Riverside County |
| RECEIVING WATER: | Lake Elsinore |
| PUBLIC NOTICE: | July 14, 2009 |
| PROJECT STATUS: | Pending Certification Action |

PROJECT DESCRIPTION: The Lake Elsinore Advanced Pumped Storage (LEAPS) Project is a proposed future development in Riverside County. Future facilities may include a new reservoir, a water diversion at Lake Elsinore, a powerhouse, a high-voltage transmission line, and other industrial aspects. In accordance with the Federal Power Act, The Nevada Hydro Company (TNHC), along with the Elsinore Valley Municipal Water District (EVMWD), submitted an application to license the proposed LEAPS Project with the Federal Energy Regulatory Commission. Prior to the issuance of a license, the Nevada Hydro Company and EVMWD must obtain a Clean Water Act (CWA) section 401 water quality certification that the project will be in compliance with the specified provisions of the CWA (33 U.S.C. § 1341 et seq.), including State water quality standards as contained in the applicable water quality control plan. Issuance of a water quality certification is subject to the California Environmental Quality Act (CEQA).

On October 9, 2007, THNC filed for a Certificate of Public Convenience and Necessity (CPCN) for the LEAPS Project with the California Public Utilities Commission (CPUC), which is lead agency under CEQA. The CPUC dismissed TNHC's application for CPCN without prejudice on April 16, 2009 because the application lacked a proper environmental assessment and TNHC failed to provide an accurate description of the project. In so doing, the CPUC discharged its obligation to prepare a CEQA document for the LEAPS Project.